

**REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND
BOARD MEETING MINUTES**

April 2, 2009
Middle School/High School Building
ASDB Phoenix Campus
Phoenix, Arizona

I. Call to Order and Roll Call

Board President Sherri Collins called the meeting to order at approximately 4:06 p.m.

Members Present: Orlenda Roberts, Kacey Gregson, Mary Michaelis, Cliff Rowley, Sami Hamed, Sherri Collins, Mike Williams arrived at 4:10 p.m.

Members Present Via Speakerphone, Ray Mungaray, Frank Hernandez

II. President's Report/Summary of Current Events

President Collins reminded the Board and public that yellow flags were to be use when a Board member wants to comment and red flag means ready to vote. The amount of time for public comment will be decided upon how many requests are received by the time public comment comes up on the agenda.

III. Superintendent's Report for Consideration and Possible Action

A. Summary of Current Events

Harold Hoff asked Robert Hill, Assistant Superintendent, to share the good things that are happening with the students. Mr. Hill provided information regarding:

- ASD Middle School students took 3rd place once again at the National Science Fair for Schools for the Deaf at the Rochester Institute.
- Bianca Hamilton has been named an all star girls basketball player and the PDSD Roadrunner girls' basketball team has been recognized as basketball team of the year.
- Recognized the parents who came to the parent-teacher conferences, and the staff who worked very hard to make these conferences a success. We're seeing increased attendance and parent participation. It is something both campuses have struggled with. Travel time and meeting times are concerns.
- In 2012, ASDB and the State of Arizona will be 100 years old. We'll be celebrating a hundred years very shortly, and it will be surprising how quickly this event will be upon us. We are doing some preliminary committee work to make that a year of celebration involving year-long activities both on the PDSD campus and the ASDB campus in Tucson. Board will be kept abreast of preparation and plans.

B. Monthly Financial Review

Dr. Hoff thanked Mr. Hill and brought the Board up to date on a couple of other things:

- Enrollment is up slightly in February. We ended December with 2,223 students being served by ASDB. At the end of February we were serving 2,243 students. There was a slight increase in Phoenix. We picked up 7 more students. That included students in the preschool program as well as our DVR Program that we share with the Foundation for Blind Children. We were down slightly in Tucson by 3 students. Our Cooperatives stayed stable. December's enrollment was 1,243 and we ended up in February with 1,244. We are currently serving 2 more outreach students than we were at the end of December so we ended the month of February with 297 students and those are the students that are age 0 to 3 that we locate and work with families and the parents as well. So our enrollment is staying stable. We would expect that and hope by the end of May that we get up to the 2,276 that we had last year.
- Trust Funds. Everybody knows that the stock market has taken a pretty good hit. We have been watching this very closely and our overall decrease has been more in the neighborhood of 27 percent. It's hard to think a loss of 27% on investment as being good news but when the average is well over 40 right now, that's excellent. This is because of some of the decisions that the Board made and some of the recommendations that Pathways made. The market was up today close to 300 points so we are starting to see some increase in that. Ultimately, we'll translate into more dollars in our Trust Funds. It's pretty good news all things considered.
- State Budget: This last month, the month of March, the revenues were down again. Not only were they down, they were also below the projections the JLBC had made. Consequently, there continues to be mixed messages at the State level as to what is going to happen relative to the 2010 budget. General consensus seems to be it's probably going to be June or the later part of May before a new budget actually comes out. Last week I met with the staff here in Phoenix and this week I met with the staff in Tucson and shared with them the approach we were using and what we were intending to do as it related to the budget situation. If we can hold the reduction to less than 2 million dollars, we will be able to maintain programs and staffing for these programs. Our response would be built on keeping the frozen positions frozen and making some other operating reductions. We received some excellent suggestions from the staff yesterday and last week. Several staff members are helping us put together some information and we're headed in the right direction. I'd like to commend the staff for looking at those things. Mr. Ramirez, who works with us in the Tucson Maintenance area is doing some studies on air conditioning costs throughout the year that will have an impact and we'll certainly be discussing his findings in terms of our calendar since he will have the documentation to show that August is the worst month in terms of air conditioning and we all know that and perhaps we need to look at some alternatives for starting the school year and ending the school years. One of our staff people also in Tucson suggested that we poll everybody to determine how many minutes they need with their cell phones and then we look at either prepaid phones, or sharing phones or reducing our plans. So a lot of things like that are coming about. I will have ready for you before the end of April at least three scenarios – 2 million dollar scenario, 3 million dollar scenario, and 4 million dollar scenario that could be used as documents once we received final word on our budget.

C. FY 09 Third Quarter Personnel New Hire and Turnover Reports

Mary Michaelis questioned what limited hires were since hires in this category were high on the Third Quarter Personnel Report? Dr. Hoff explained that a Limited Hire receives no benefits, are employed on a temporary basis, and are not employed in a general funded permanent position to give flexibility until the agency receives the budget information.

IV. Public Comment on Agenda Items**

Board President Sherri Collins allotted 4 minutes per speaker since there were only three speakers.

Desiree Carolyn, parent of a PDSD student, spoke regarding Dr. Brad Knudson's contract. Stated she has a son that attends PDSD and has for 3 years now. She has needed to meet with Brad to address several incidents. Dr. Knudson always has the best interest of students at heart. He's always just and fair, and never jumps to conclusions always listening very carefully to everything students, parent, staff members have to say. She noticed right away the exceptional amount of patience and wisdom that Dr. Knudson has. And while she sees other staff members at time lose their cool, Dr. Knudson is always calm and collected. The students look up to him and his calm mannerisms, and he always treats students and staff with dignity and respect. There is only a handful of people here at PDSD that I have met that share the same qualities. At a school where often times staff members seem to be preoccupied with gossip and some petty differences, Dr. Knudson provides stability that I think we all need – students, parents and staff members.

Chuck Foy, political director for the Communication Workers of America in Arizona, asked the Board to table any decisions on item 5C, the hearing officer's recommendations regarding the final grievance dated February 4, 2009 because the grievant only received the hearing officers response less than two days ago. We have not had time to prepare a response to the Board. Additionally, the hearing officer did not conduct an interview with the grievant which we feel is improper and unfair as she was not able to provide her side of the story to the hearing officer. Additionally, we were not provided with a copy of the documents that were sent to the hearing officer so we do not know what he made or based his decision on. So we would ask that you table the decision until the next meeting when we have time to review the hearing officers findings. In closing, we ask again, please table this issue until the next meeting so that we have time to prepare to make a statement to the Board on this matter.

Becca Bailey, Parent of a PDSD student and speaking on behalf of her husband David who is in the audience. We are parents of a fourth grade student here at PDSD. And he's been here since preschool. I am addressing 5. A., E., and F. and then 5.G. and 5.A. My husband and I would like to let you know that we do support you and we do ask you to please offer a contract to Lisa Svenningsen. She has taken an excellent approach with my son, and with myself as things have arisen in the last year. She's been a fabulous role model for the kids. She's a great language cultural role model and she supports the CAEBER approach and it works on her son. I have spoken with teachers and students, and I have seen the improvements in the areas of reading and writing so I know that curriculum works. So I ask you to please keep her here as Assistant Principal. And then also I would suggest offering Nancy Amann as Principal position for PDSD. Again I have seen her work inside the school and outside the school. She

has been wonderful in working with the community and the parents and the students. For the next 5. E. and F. I would like to mention that if the Superintendent has decided to resign, I want to make sure that the temporary Superintendent who takes that position is sensitive to the deaf, deaf education needs, is deaf friendly basically. History has been very hearing centric and quite frankly I'm pretty tired of that. I would like to see the focus become more on deaf education and the deaf. As you look for a new superintendent, please include deaf parents, deaf staff of ASDB and PDSB, community members as well to be involved in that search and the interview process. On the last agenda item 5.G. regarding the Trust Funds, she and her husband are heavily involved in committee work and would like to know how the process works to request Trust funds for these committees.

V. Business Agenda Items

A. Superintendent's Intent to Offer/Not Offer FY 2010 Employment Contracts to Management/Supervisory Personnel for Discussion, Consideration and Possible Action

Pursuant to A.R.S. 38-431.03(A)(1) and/or (3), the Board may vote to go into Executive Session, which will not be open to the public, for discussion/consideration of personnel/employment matters and/or discussion/consultation for legal advice with the Board's attorneys pertaining to the Superintendent's intent to offer/not offer employment contracts to management/supervisory staff for FY 2010.

Sherri Collins, for the record, informed the Board that Brad Knudson requested that any discussion regarding his contract be held in public session. Discussion regarding all other contracts will take place in executive session.

It was moved by Michael Williams, seconded by Frank Hernandez, and unanimously carried that the Board adjourn to executive session for the purposes of discussion /consideration of personnel /employment matters and discussion/consultation for legal advice with the Board's attorney.

Kim Anderson, Michael Williams, Frank Hernandez spoke to the issue and motion to go into executive session.

The Board entered into executive session at approximately 4:40 p.m. and reconvened the public session at approximately 5:11 p.m.

MOTION ON THE TABLE: It was moved by Frank Hernandez, seconded by Mary Michaelis, that the Board of Directors offer contracts to the following people on List A numbers 1 through 13, Numbers 4 through 13.

1ST AMENDMENT TO MOTION ON THE TABLE: Frank amended motion on the table to offer to contracts to the following people on List A: Numbers 4-10, 12&13, seconded Mary Michaelis.

Sherri Collins, Mary Michaelis and Frank Hernandez spoke to this issue, motion and amended motion.

SUBSTITUTE MOTION: Michael Williams made a substitute motion, seconded by Orlenda Roberts that on List A, Number 1 through 13 with the exception of #3, be offered a contract.

Michael Williams offered to make a further motion to go into Executive Session to discuss this.

Mary Michaelis, Ray Mungaray, Sherri Collins, and Michael Williams spoke to the issue, and the substitute motion.

AMENDED SUBSTITUTE MOTION: Michael Williams amended his substitute motion, seconded by Orlenda Roberts, that on List A, Number 1,2, 4 through 13 be accepted, and the Superintendent report to those people that they will be offered a contract.

Mary Michaelis and Ray Mungaray spoke to the amended substitute motion.

Michael Williams explained the reason he was making a substitute motion is so that we have the opportunity to discuss the reasons for not renewing number 1. I don't know what anyone's reasons are. I'd like to know what the reasons are but I think we have to go back into executive session. We also have the issue with Dr. Knudson who wants his issue decided in public. Since we're moving to this issue first, I felt like I had to make that motion. I'm happy to withdraw it if we'd like to withdraw the motions and handle this after we go to executive session.

Frank Hernandez, Ray Mungaray, Sherri Collins, Dr. Harold Hoff, Kacey Gregson, Kim Anderson spoke to the motion on the table and the amended substitute motion on the table.

2nd AMMENDMENT TO MOTION ON THE TABLE: Frank Hernandez amended his motion on the table, to approve contracts listed on List A Number 4 through 10, 12 and 13, seconded by Mary Michaelis.

SUBSTITUTE MOTION: Mike Williams made a substitute motion, seconded by Orlenda Roberts, that the Board go into Executive Session to discuss personnel matters

Kim Anderson, Sherri Collins, Frank Hernandez, Sami Hamed, Dr. Harold Hoff, Michael Williams, Mary Michaelis spoke to the motion and substitute motion on the table.

AMENDMENT TO SUBSTITUTE MOTION ON THE TABLE: Michael Williams moved to go into Executive Session to discuss personnel matters as it relates to List A, Numbers 1, 4, 5, 6, 7,8, 9, 10, 12, 13 for reasons that I don't know why we would exclude #1, and I would like to discuss so that I'm more informed. The motion was carried by a vote of 5 in favor (Kacey Gregson, Cliff Rowley, Orlenda Roberts, Michael Williams, Sherri Collins) and 4 opposed (Ray Mungaray, Frank Hernandez, Mary Michaelis, Sami Hamed).

Michael Williams: That is why I'm making the motion to go into a personnel executive session. I would like to hear the reasons some members may have for excluding one or approving others. That is my sole purpose. I am excluding #3 because he has requested discussion in public session.

The Board entered into executive session at approximately 5:28 p.m. and reconvened the public session after a short break at 6:20p.m.

Sami Hamed called for the question, stated there is no second on a call for the question, and informed the President the call for the question must be honored.

Sherri Collins took a roll call vote on the 2ND amendment to the motion on the table, and the motion was unanimously carried.

1st MOTION ON THE TABLE: It was moved by Michael Williams, seconded by Orlenda Roberts, that on #1, the contract be extended for 90 days and then instructions be given and any deficiencies to give that person time to address those issues.

Michael Williams: The reason I made the motion is there has been some concerns that were brought up that I'm unsure that the person in question is aware of. I'd like the person to be made aware of those concerns, have a chance to address those deficiencies, if those deficiencies are not addressed then corrective action would need to be taken. If those deficiencies are addressed, then we may have a chance to save an employee. That's why I would like the Superintendent maybe look at the Board because there seems to be some legitimate concerns but I also think that everyone has a right to know what their being accused of or at least some people pointed out where deficiencies may lie and I think everybody deserves a chance to correct those.

Dr. Harold Hoff: I have no idea what this is about. I think perhaps that my recommendation to the Board would be to go to executive session as Mr. Williams pointed out. Everybody has the opportunity to respond and I believe person #1 should have the opportunity to respond to whatever it is that's being put on the table. I'm not even aware of what it is that's being addressed so I think in fairness and we also have that person who indicated they would like to have a discussion in executive session if there were some questions. And quite frankly I do not know what is even being stated or being said and I certainly feel like it would be appropriate for me to know what these items are. Especially in light of the fact that I have not seen any documentation or information that has been presented to me relative to this.

Sami Hamed, Kim Anderson, Sherri Collins, and Michael Williams spoke to the motion on the table and whether or not the Board can extend a contract.

NEW MOTION ON THE TABLE: It was moved by Michael Williams, seconded by Orlenda Roberts, that the Board offer Number 1 a 90-day contract and give him time to improve his deficiencies at the end of the 90 days this committee could re-evaluate him.

Mr. Williams withdrew his first motion on the table and noted he was adding the new motion.

Harold Hoff: Expressed confusion and requested clarification. He asked if there are some current concerns about individual number 1. He pointed out two things to the Board. (1) This individual did not demand his employment contract be discussed in executive session and, therefore, the Board is discussing items that should not be discussed in public. (2) The individual should be given the right to know about the complaints/concerns; and, in fact, all the is being discussed are accusations as Dr. Hoff had yet to receive any information or

documentation regarding the accusations. Dr. Hoff expressed his concern that these actions set a very very dangerous precedent for this Board and the he recommends the Board seek legal counsel because he thinks the Board has just created liability exposure for themselves. The Board is acting on comments received from some unknown source that have not been substantiated in any way shape or form that he is aware of. He strongly urged the Board to go into executive session and discuss this with legal counsel. Dr. Hoff also requested the Board provide him with the documentation that is being used to take such action.

SUBSTITUTE MOTION: It was moved by Orlenda Roberts, with Mr. Williams approval, that the Board move to executive session, and bring employee #1 into executive session and allow him an opportunity to discuss with the Board and meet with the Board for the purposes of discussion /consideration of personnel matters and seconded for both employment matters and legal matters and discussion/consultation for legal advice, and failed with a vote of 6 opposed (Ray Mungaray, Frank Hernandez, Kacey Gregson (noting she was ready to vote), Mary Michaelis, Sami Hamed, Cliff Rowley) and 3 in favor (Michael Williams, Orlenda Roberts, and Sherri Collins).

Michael Williams, Kim Anderson, Sherri Collins, Sami Hamed spoke to the substitute motion.

Sami Hamed questioned if contract employees were at-will employees. Kim Anderson responded that they are not and are employed per the terms of their contracts.

It was moved by Sherri Collins, seconded by Kacey Gregson, that the Board issue a one-year contract with the understanding that the Board will have some input on the evaluation to consider the concerns we have just got, and the motion failed with a vote of 5 opposed (Frank Hernandez, Ray Mungaray, Mary Michaelis, Cliff Rowley, Sami Hamed) and 4 in favor (Kacey Gregson, Michael Williams, Orlenda Roberts, Sherri Collins).

Michael Williams: Questioned legal counsel if Dr. Hoff is correct that the Board is opening themselves up to liability by discussing something in a public meeting that has not been addressed with the employee and that has not been reflected in the employee's performance evaluation, and accusations are being made that the employee may not know anything about, and we're discussing this in public when the employee did not ask for this to be discussed in public?

Kim Anderson: Responded that if the Board wishes to receive legal advice in this matter, her advice is to go into executive session. Secondly, she explained the open meeting law as it relates to executive sessions regarding personnel matter whereby the employee is provided notice. She explained it is the Board's discretion to invite necessary persons into this executive session. She further explained there is always liability and the goal is to minimize the liability.

Sami Hamed called for the question to vote on this matter.

Michael Williams questioned the dangerous precedence of cutting off Board members who have their flags up who want to ask a question.

Sami Hamed withdrew his call for the question.

Mary Michaelis questioned that if the Board chooses not to renew the employee (#1), the Board would still have until May 15 to decide to issue a contract, and that a notice of non-renewal doesn't mean you are not renewing them. She stated it hasn't in the past and said it didn't when she read the statute.

Kim Anderson: Read the statute and clarified that a decision must be made by April 15th and the contract issued by May 15th.

Mary Michaelis: Indicated she had seen an entire school district be put on contract due to financial issues because they have to issue that by April 15th in order to make that decision.

Orlenda Roberts: Clarified that if the vote tonight is to non-renew, than there is no contract to be issued on May 15th.

Frank Hernandez: Questioned if the Board says no contract, why can't the Board have a special meeting to talk about this and then issue or not issue a new contract.

Kim Anderson: Suggested that if the Board still has questions about this, they can make the decision at a special meeting as long as the decision is made before April 15.

Michael Williams: Questioned if the Board doesn't take action tonight, we haven't met the statute, and then offer a contract to Mr. Hill at the next Board meeting before May 15, what are the repercussions?

Orlenda Roberts: You have to make the decision tonight.

Michael Williams: We're kind of damned if we do and damned if we don't. If we don't offer a contract, we haven't given the person proper time to respond. If we do, then there are some concerns that haven't been met. If we do nothing then we're in violation of the statute.

Mary Michaelis: Stated she wanted to make a point. This is the hardest decision to make and you know one of the things is, we really need to learn from this. If we would get things in time, or early enough, or had been looking at this the last Board meeting, then we wouldn't be in this position. That's the hardest part of it.

Frank Hernandez: I agree.

Ray Mungaray: I agree. I think that's true.

Sherri Collins called for a vote on the motion on the table and the motion failed.

It was moved by Michael Williams, seconded by Orlenda Roberts, that the Board table this issue until the latest of April 13 when a Special Board meeting can be conducted so that the person in question at least can come and address it. Mr. Williams then withdrew his motion.

MOTION ON THE TABLE: It was moved by Michael Williams, seconded by Orlenda Roberts, that the Board offer Mr. Hill a 90 day contract for the purposes of seeing and addressing this.

Michael Williams: If this the motion fails, then I'll make a motion to table.

Sherri Collins, Michael Williams, Frank Hernandez, and Kim Anderson spoke to the issue of offering a 90-day contract. Upon discussion, Michael Williams withdrew his motion, and Orlenda Roberts withdrew her second.

It was moved by Michael Williams, seconded by Orlenda Roberts, that the Board table #1 on List A at a special board meeting on or before April 15.

Kacey Williams: Acknowledged that she voted no on the motion to go into Executive Session for personnel reasons but since the Board is here to address intent to issue contracts, let's do it tonight.

SUBSTITUTE MOTION: It was moved by Kacey Gregson, seconded by Cliff Rowley, and carried with a vote of 8 in favor and 1 opposed (May Michaelis), to go into executive session under the personnel exception for the purpose of discussing employment/personnel matters and to obtain legal advice.

The Board went into executive session at approximately 6:53 p.m. and reconvened the public meeting at approximately 7:51 p.m.

It was moved by Michael Williams, seconded by Orlenda Roberts, and unanimously carried, that on 5.A. #1, List A, that the decision on #1 be tabled until the Board has time to meet on or before the 14th to review this matter.

Michael Williams: Withdrew his first motion to make his second motion. If the second motion fails, he planed then to make a motion to table.

It was moved by Michael Williams, seconded by Frank Hernandez, that the names listed on List B not be awarded contracts for FY 2010 and that the superintendent issue notice.

Sami Hamed: I didn't see anything from Brad Knudson so I think in fairness, I want to hear what he has to say if he is ready to respond tonight. If not, we can always do what we did for the previous item right now. We can do that at the same time at a special meting. So Mr. Knudson, do you have anything to say?

Brad Knudson: 45 months ago he came to serve as principal at the PDSD. During those months you've my full commitment to serve the students, the parents, and the staff of this school. I'm sure that they know that I have not done everything perfectly. There's things that we made progress in and there's things that we need to work on. I'm committed to continuing that work and I believe that as a person is given a chance to work on a work improvement plan, which I was given yesterday for the first time, I would appreciate an opportunity for continued success at the PDSD. As I shared before, I am committed to the school, to the staff, to the children and the families. I would be happy to answer any questions you might have.

Michael Williams: You were only given this yesterday as a program to approve.

Brad Knudson: That's correct.

Mike Williams: You'd not done anything prior to that.

Brad Knudson: I've worked here for 33 months. I received my first evaluation. There were two areas of that official evaluation that had statements, and remember the three categories. During that evaluation there were a couple of areas given to me. Did receive some regular action during the course of this year where a couple of areas were given to me. I did receive some regular action during the course of this year. My second evaluation which was completed yesterday also included a work improvement plan.

Sami Hamed: So your previous evaluations in the last few years, you were evaluated and everything correct. You were evaluated in the past and you had no problems until now.

Brad Knudson: I've been working here for 45 months. My first evaluation took place 33 months into my employment. My second evaluation took place yesterday. My first three scheduled evaluations were never done.

Sami Hamed: Backup. Did you say that you had your first evaluation 3 months, 10 months ago?

Brad Knudson: My first three scheduled evaluations were never done.

Sami Hamed: That's good to know. Thank you very much. I'd like to make a request to Mr. Williams and to the second of the motion, I'd ask if you two withdraw your motion.

Mary Michaelis: May I take this over to see if he has seen this document?

Harold Hoff: Is the document you are referring to the documentation that was supplied?

Mary Michaelis: Is that alright. Can I ask him if he has seen this?

Harold Hoff: I don't believe, this was prepared for the Board. This particular document was prepared for the Board as the chronology and it was, let me please ask because I was out of the office today here. Which of these documents had Dr. Knudson been given or been appraised of.

Robert Hill: Just so I'm clear about what documents we are talking about, are we talking about the action plan for improvement document. Dr. Knudson has seen that. His most recent evaluation he was given I believe last Wednesday, I provided him an opportunity to provide feedback in case there was any area in his evaluation that he felt that I rated him inaccurately or needed to offer any changes to that recommendation. I said with or without input from Dr. Knudson I would be finalizing his evaluation by April 1st. He chose to email me on Thursday of that week, because of his heavy workload he would not be able to respond to my request until Monday of this week. We met, I reviewed his response, and asked him if he would like me to attach the response to his evaluation to which he answered no. Though Dr. Knudson opted not to attach the response to the evaluation it can be made available to the Board if you don't already have it.

Mary Michaelis: So he doesn't have the chronology of events that we have?

Robert Hill: I do not believe that Dr. Knudson has seen the chronology that was presented to you. The chronology was used in developing the timeline of events that Dr. Knudson is aware of and were discussed in our evaluation period of the timeline. The main points of the chronology are in April of last year, through April and summer of last year, we had public meetings. An action plan was developed which listed very specific things that Dr. Knudson would ensure occurred on this campus. Those were shared with parents at parent meetings. They were also shared in community meetings that would occur. Also, in September I believe [inaudible] when I was aware that some of these events did not occur as we described, we identified other areas of concern, one called letter or memo of concern was given to Dr. Knudson in September, he signed that, acknowledged those things still needed to be done. In November a second letter of concern was given to Dr. Knudson and then like I indicated, the next formal document would have been a draft of his evaluation last Wednesday, where I met with Dr. Knudson, went over my concerns. At that time I also said I would be making a recommendation to the Superintendent not to renew his contract. Indicated by policy that it would be appropriate to still give him 30 days or up to 90 days to do a development plan. Around all those times, those are just the formal documentations, Dr. Knudson and I meet regularly, largely by phone, also face to face, we've had ongoing conversations about concerns. Things that need to be done and so this is not the first that Dr. Knudson been aware of concerns was not yesterday. I want to be clear on that point.

Sherri Collins: So you are saying that there have been ongoing conversations throughout the year for the school year of different issues and concerns. Not just waiting until the evaluation period.

Robert Hill: That is correct. Dr. Knudson was given the action plan, like I said was shared with parents and members of the community. He was aware of the timelines on that action plan. That and various forms since April. It's a living document so when I say various forms, if we would become aware of new situations, necessary training, it would be added to the plan.

Mary Michaelis [to Dr. Knudson]: And you agree with that? That's your perception of the timelines.

Brad Knudson: Looking at the variety and types of communications, over the time, yes I would concur with those timeframes.

Sami Hamed: I want to go back to something you brought up here and ask this. These things being talked about, they weren't evaluations. They were just communications between you and the Associate Superintendent correct?

Brad Knudson: Yes. That is correct. They weren't evaluations.

Sami Hamed: Okay. They weren't evaluations. Good to know. They obviously led up to that correct? Let up to the evaluation you got right now correct?

Brad Knudson: Yes.

Sami Hamed – State there was a double standard, and was shocked and appalled not doing regular evaluations. Therefore, he requested to delay this.

Substitute Motion: It was moved by Sami Hamed, seconded by Mary Michaelis that the Board of Directors move to postpone this matter for a special meeting to allow Dr. Knudson an opportunity to respond.

Amended Substitute Motion: It was moved by Sami Hamed, seconded by Mary Michaelis, that the Board of Directors move to postpone consideration and action on 5A position 3 in order to give Mr. Knudson an opportunity to respond at a special meeting before April 14, 2009, and the motion was unanimously carried.

Michael Williams, Brad Knudson, Sami Hamed, Kim Anderson, Kacey Gregson, Frank Hernandez spoke to the issue of how Dr. Knudson would like to present his information to the Board. Michael Williams acknowledged that Dr. Knudson did have an 2 evaluations last year and this year.

Mary Michaelis – Pet peeve not getting information ahead of time and have not seen response.
Ray Mungaray – Received letters to improve and was talked to so this is a little different than the other person we talked about.

That the Board of Directors approve the issuance of a notice of intent to offer FY 2009 employment contracts to the personnel on List A, and the issuance of a notice of intent not to offer FY 2010 employment contracts to the personnel on List B.

B. Hearing Officer Recommendations Regarding Final Level Grievance and Addendum Dated January 26, 2009, for Discussion, Consideration, and Possible Action

Pursuant to A.R.S. 38-431.03(A)(1) and/or (3), the Board of Directors may vote to go into executive session, which will not be open to the public, for the purposes of discussion/consideration of employment/personnel matters and/or discussion/consultation for legal advice with the Board's attorneys as it relates to the final level grievance and addendum dated January 26, 2009.

That the Board accept the decision of the Hearing Officer regarding the final level grievance and addendum dated January 26, 2009.

It was moved by Orlenda Roberts, seconded by Kacey Gregson, that the Board accept the decision of the Hearing officer.

Mary Michaelis questioned why there was no hearing?

Sherry Collins explained a hearing is not required by Board policy.

Sami Hamed expressed that he was not happy with hearing officer's decision.

Harold Hoff – Pointed out the impressive qualifications of the hearing officer.

Orlenda Roberts: If is going to refer to hearing officers because they would be better served to make these impartial decisions, then we need to listen to that decision.

Frank Hernandez: Sent out to deal in a fair manner. Concerned because hearing officer just looked at the records rather than holding hearing.

Kacey Gregson: It is not irregular for a hearing officer to make a document review an render the decision from the review. It would be more irregular to hold a documentary hearing.

Michael Williams: If the hearing officers don't feel the evidence is there, why drag it out?

Relevant materials showed no evidence.

Sherri Collins called for a vote:

The motion was carried with a vote of 5 in favor (Ray Mungaray, Kacey Gregson, Michael Williams, Cliff Rowley, Orlenda Roberts), and 3 abstentions (Frank Hernandez, Mary Michaelis, Sami Hamed)

- C. Hearing Officer Recommendations Regarding Final Level Grievance Dated February 4, 2009 for Discussion, Consideration and Possible Action

Pursuant to A.R.S. 38-431.03(A)(1) and/or (3), the Board of Directors may vote to go into executive session, which will not be open to the public, for the purposes of discussion/consideration of employment/personnel matters and/or discussion/consultation for legal advice with the Board's attorneys as it relates to the final level grievance dated February 4, 2009.

It was moved by Sherri Collins, seconded by Orlenda Roberts, and carried with a vote of 4 in favor (Kacey Gregson, Orlenda Roberts, Sherri Collins, Michael Williams), 1 opposed (Mary Michaelis), and 4 abstentions (Frank Hernandez, Sami Hamed, Cliff Rowley, Ray Mungaray) accept the decision of the hearing officer regarding the final level grievance.

- D. Superintendent's Resignation/Retirement Letter dated March 27, 2009 for Discussion, Consideration, and Possible Action

Harold Hoff: Based upon what has occurred at this Board meeting, I am withdrawing my resignation and will continue as Superintendent to take care these issues and concerns.

Sami Hamed: Are you joking?

Harold Hoff: I am very serious.

Sami Hamed: Counsel is that correct, can he do that?

Kim Anderson: Dr. Hoff has withdrawn letter of resignation and Board has not acted in matter.

- E. Termination of the Superintendent's Contract Due to Resignation/Retirement of the Superintendent for Discussion, Consideration and Possible Action

No action on this matter required.

- F. Appointment of an Individual To Carry Out the Duties Normally Conducted by the Superintendent Pending Board Appointment of an Interim Superintendent for Discussion, Consideration and Possible Action

No action on this matter required.

- G. Approval to Expend Trust Funds for Discussion, Consideration and Possible Action

That the Board of Directors approve the reallocation of \$500.00 from parent activity funds to be used for EHR students to attend the Blind Olympics.

It was move by Michael Williams, seconded by Kacey Gregson, and unanimously carried to approve as submitted the Trust Fund request as submitted.

H. Scheduling of Board Leadership Study Session for Discussion, Consideration and Possible Action

Sherri Collins postponed discussion on this item for a later date.

VI. Consent Agenda for Consideration and Possible Action

- A. Confirmation of March 5, 2009 Board Meeting Minutes
- B. Confirmation of March 23, 2009 Special Board Meeting Minutes
- C. Approval of Contracts and/or Agreements with Lonely Street Productions, Southern Arizona Youth Football, Interfaith Community Services, Phoenix Elementary School District, Williams Unified, Danswest Dance Productions, Chamber Music Plus Southwest and Tolleson Union High School District #214
- C. Approval of donations and grants from Mountain View Tours, Elizabeth Weyerhaeuser, Vantage West Credit Union, the Midtown Sertoma Club of Tucson and Green Valley Lions Club

It was moved by Mary Michaelis, seconded by Michael Williams, and unanimously carried to approve consent agenda as presented.

VII. Public Comment on Non-Agenda Items**

None.

VIII. Adjournment

It was moved by Sami Hamed, seconded by Michael Williams, and unanimously carried that the meeting be adjourned.

The meeting was adjourned at approximately 8:51 p.m.

EXHIBIT 2

A.R.S. 15-1325(D) requires that on or before April 15, preceding the expiration of contracts of persons contracted by the superintendent, that the superintendent, acting on behalf of the Board of Directors, gives written notice to contracted employees of the Board's intention to offer or not to offer employees a new contract.

CURRENT CONTRACTS

	TITLE	NAME
1.	Assistant Supt Curriculum and Instruction	Robert Hill
2.	Principal-ASB	Vacant
3.	Principal-PDSD	Bradley Knudson
4.	Regional Director-DVR	Bea VanMantgem
5.	Regional Director -NCR	Jane Krahe
6.	Regional Director-SWR	Wemme Walls
7.	Facilities/Loss Prevention/Business Manager-Phx	Terry Pritchard
8.	Performing Arts Center Manager	Brandon Howell

9.	Facilities Manager-Tucson	Debra Currin
10.	Principal-ASD	Nancy Amann
11.	Regional Director -SER	Vacant
12.	Director of Instructional Support Services	Marcy Albert
13.	Assistant Principal – PDSD	Lisa Svenningsen